

## **ATTACHMENT A**

### **Remarks**

Claims 3, 4, 6-10 and 27-32 have been rejected under 35 USC 112, second paragraph, as being "indefinite." As discussed below, the claims to which objections have been raised have been amended or canceled so as to overcome the objections raised, and thus it is respectfully submitted that the remaining claims are now fully in accordance with 35 USC 112, second paragraph.

Considering the specific objections raised, "said first portion" in claim 3 has been changed to "said cartridge part" so as to be consistent with claim 1. A similar change has been made in claim 6. Claims 8 and 9 have been amended to refer to "said main body part" so as to be consistent with claim 1. A similar change has been made in claim 11 wherein "said main unit" has been changed to "said main body part." With respect to claim 14, "analysis unit" has been changed to "analysis means" so as to be consistent with the preceding claims. Regarding claims 27, 28 and 29, these claims have simply been canceled in order to expedite the prosecution. Claim 30 has been amended to refer to "a liquid" in line 1 and antecedent basis has been provided for "the interface" in line 2. Finally, with respect to claim 10, "heating means" has been changed to "temperature control means" so as to be consistent with the recitation "adapted to cool." Corresponding changes have been made in parent claim 9 as well. Other minor changes have also been made (e.g., "cartridge" has been changed to "cartridge part" in a number of the claims to provide a clear antecedent).

Turning to the rejections on prior art, three different references, the Grana et al, Siepmann and Scholin et al patents, have been relied on in rejecting a number of the claims. The claims have been amended to more clearly distinguish from these references and rather than discuss the individual rejections, the focus below will be on the amendments to the claims and the manner in which the amended claims distinguish over the references cited.

Before considering these amendments, it is noted that claims 18-21 have been allowed and claims 2, 10, 16, 17, 22 and 24 have been indicated to be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Moreover, claims 3, 4 and 6-8 have been indicated to be allowable

if rewritten to overcome the rejections under 35 USC 112, second paragraph, and to include all the limitations of the base claim and any intervening claims.

Turning to independent claim 1, this claim has been amended to include subject matter based on allowable claim 2. However, rather than specifying that the needle is situated on a cartridge part and a corresponding needle receiving means is situated on the main body part, the claim provides that the needle and needle receiving means can be respectively situated on either of the two parts, i.e., the needle can be situated on one of the parts and the needle receiving means can be situated on the other of the parts. It is respectfully submitted that the limitations of claim 2 are too restrictive in that it can be argued the claim could be avoided by simply putting the needle on the main body part and the needle receiving means on the cartridge. Moreover, amended claim 1 distinguishes over all of the references cited in a similar manner to claim 2 since none of the references discloses the transfer means as now claimed in claim 1.

Similar remarks apply to claim 23, wherein the transfer means for transferring waste from the analysis means to the storage means is recited as a needle situated on one said part and a corresponding needle receiving means situated on the other said part. Again, this claim is modeled after allowable dependent claim 24 but, in contrast to claim 24, does not specifically recite which part the needle is situated on and which part the needle receiving means is situated on.

Turning to claim 25, this claim has been amended to more clearly define over the references cited thereagainst. In this regard, it is respectfully submitted that the Siepmann patent does not disclose a separable main body part and cartridge part and, in particular, a main body part and a cartridge part which, in use, are mated to form an integral unit and which, when mated, are separable from each other, as claimed in amended claim 25. In the Siepmann patent, a buoy is disclosed including a sampling device but all are combined in a single unit not including a separable main body part and cartridge part. To the extent that the Examiner is reading "control and analysis device" 4 as one of the claimed parts, this device is remotely located from measuring buoy 2 and clearly does not mate therewith to form an integrated unit. Thus, it is respectfully submitted that claim 25, as amended, defines over the Siepmann patent. Similar remarks apply to the Grana et al and Scholin et al patents.

Turning to claims 33-36, each of these claims have been amended to recite that the communication means and/or energy transfer means between the main body part and the cartridge part employ a wireless communication and/or power transfer means. Although the present invention is not limited to this embodiment, in a preferred embodiment the cartridge part is completely disposable and can be easily separated from the main body part and replaced by a new one. This necessitates the use of wireless communication and/or power transfer between the main body part and the cartridge part. Again, it is respectfully submitted that this feature is not disclosed by the cited references.

New claims 40 and 41 have been added which depend from claim 25 and which further define over the references. Claim 40 specifies a releasable interlocking connection between the main body part and the cartridge part for releasably interlocking the main body part and the cartridge part together. Claim 41 recites transfer means, comprising a needle and a needle securing means, for transferring a reagent to the analysis means, and distinguishes over the prior art for the reasons discussed above in connection with claims 1 and 23. Claims 42, 43 and 44 have also been added which correspond respectively to claims 30, 31 and 32, but depend from claim 25 either directly or indirectly.

Allowance of the application in its present form is respectfully solicited.